

AMENDMENT UNDER 37 C.F.R. § 1.111
US App Ser No. 09/251,149

Please add the following new claim:

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--40. ~~14~~ The method according to claim ~~38~~¹², wherein said step of folding at least one section of the first electrode includes folding at least one section of the first electrode so that it extends below the first end of the first electrode.--

REMARKS

Claims 26-40 are all the claims pending in the application. New claim 40 has been added. Reconsideration and allowance of all claims are respectfully requested in view of the following remarks.

Information Disclosure Statement (IDS)

On February 17, 1999, Applicants filed an IDS including a form PTO-1449. However, the Examiner failed to include a copy of the PTO-1449 with the Office Action mailed on January 4, 2000. Because the February 17 IDS was timely filed, Applicants respectfully request that the Examiner return an initialed copy of the PTO-1449 with his next Office Action.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejects claims 26, 27, 32, 35, 36, and 38 under § 102(b) as being anticipated by US Patent 3,761,314 to Cailley (hereinafter Cailley). Applicants respectfully traverse this rejection because Cailley fails to establish anticipation.

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Claim 26 sets forth a method of making an electrochemical cell which includes the steps of, *inter alia*, providing an electrode stack which includes a first electrode extending from one end of the stack, and folding at least one section of the first electrode to form a tab connection portion, such that the tab connection portion does not extend over the entire one end of said stack. Because the tab connection portion does not extend over the entire one end (6) of the electrode stack, a sufficient contact area is formed while leaving the rest of the electrode end unmodified for readily accepting electrolyte.¹

In contrast to that set forth in claim 26, Cailley discloses an electrode stack (11) wherein the edge parts of the electrodes are provided with transverse slots (19) to provide segments. The segments are then folded down so as to form a supporting surface (6') which is substantially in a plane.² The segments are folded to produce a winding assembly whose opposite ends resemble fish scales, as shown in Figure 3, which cover the "whole surface of the respective ends" of the winding (11).³ Although Cailley states that the fish scales do not cover the central hole, there is no winding in the central hole either. As shown in Figure 2, the slots (9) extend along the entire length of the edge part (7') of the electrode's carrier sheet (7). And as shown in Figure 4, the winding (11) does not extend across the entire diameter of the cell casing (10). Further as shown in Figure 4, the folded segments do extend across the entire extent of the winding (11).

¹ Specification at p. 9, line 32 - p. 10, line 3.

² Cailley at c. 2, lines 27-38.

³ *Id.* at c. 3, lines 66-75.

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Therefore, Cailley does not disclose a step of folding at least one section of the first electrode so as to form a tab connection portion that does not extend over the entire one end of the electrode stack, as set forth in claim 26.

For the above reasons, claim 26 is not anticipated by Cailley. Claims 27, 32, 35, and 36 depend from claim 26 and, therefore, are allowable at least by virtue of their dependency.

Claim 38 sets forth a method of making an electrochemical cell including the steps of, *inter alia*, providing an electrode stack which includes a first electrode having a first end, a second electrode, and a periphery, folding at least one section of the first electrode to form a tab connection portion that does not extend around the entire periphery of the stack. Again, because the tab connection portion does not extend around the entire periphery of the stack, a sufficient stack area remains unmodified so that it can readily accept electrolyte.

In contrast to that set forth in claim 38, Cailley discloses an electrode stack (11) having an end whose entire periphery is covered by the supporting area (6') formed by the folded segments of the electrode. See Figures 3 and 4. Therefore, Cailley does not disclose a step of folding at least one section of a first electrode to form a tab connection portion that does not extend around an entire periphery of the stack, as set forth in claim 38.

For the above reasons, claim 38 is not anticipated by Cailley.

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The Examiner rejects claims 26, 32, 35, 36, and 38 under § 102(a) and (e) as being anticipated by US Patent 5,736,270 to Suzuki et al. (hereinafter Suzuki). Applicants respectfully traverse this rejection because Suzuki fails to establish anticipation.

Again, claim 26 sets forth at least the steps of providing an electrode stack which includes a first electrode extending from one end of the stack, and folding at least one section of the first electrode to form a tab connection portion, such that the tab connection portion does not extend over the entire one end of said stack.

In contrast, Suzuki discloses parts (26A, 28A) which are folded so as to form a current collection portion which extends over the entire end of the electrode stack. That is, the parts (26A, 28A) extend along the entire length of the anode (26) and cathode (28), respectively. After the stack is wound, or as the stack is being wound, the parts (26A, 28A) are folded toward the center of the stack to thereby extend over the entire end of the stack. See Figures 4 and 5. Therefore, Suzuki does not disclose at least a step of folding a section of a first electrode to form a tab connection portion that does not extend over the entire end of the stack, as set forth in claim 26.

For the above reasons, claim 26 is allowable over Suzuki. Claims 32, 35, and 36 depend from claim 26 and, therefore, are allowable at least by virtue of their dependency.

Claim 38 sets forth, as noted above, a method of making an electrochemical cell including at least a steps of, folding at least one section of a first electrode to form a tab connection portion that does not extend around the entire periphery of the stack. In contrast,

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Suzuki discloses parts (26A, and 28A) which form a current collection portion around the entire periphery of the electrode stack. See Figures 4 and 5. Therefore, Suzuki does not disclose a method of making an electrochemical cell including at least the step of folding at least one section of a first electrode to form a tab connection portion that does not extend around the entire periphery of the stack, as set forth in claim 38.

For the above reasons, claim 38 is allowable over Suzuki.

Allowable Subject Matter

The Examiner indicates that claims 28-31, 33, 34, 37, and 39 are objected to, and does not apply any rejections to these claims. Accordingly, because Applicants have written claims 28 and 33 in independent form, these claims—as well as dependent claims 29, 30, and 34—should now be allowed.

Conclusion

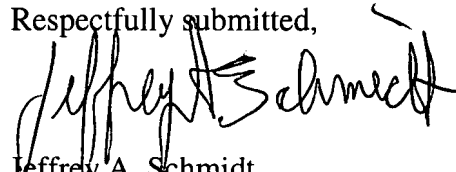
Claim 40 has been added to further define the invention. Claim 40 depends from claim 38 and, therefore, should be allowable at least for the same reasons as set forth with respect to claim 38.

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



Jeffrey A. Schmidt
Registration No. 41,574

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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